

Frequently Asked Questions on SAIS Reporting of Free and Reduced

1. Can I release individual students eligibility information to SAIS for the purpose of NCLB requirements?

Yes. This information can be released to meet requirements of NCLB as long as the information is only available to those who “need to know.” It is required that the LEA initiate a policy or written agreement with the employees who have the eligibility information to ensure this information will remain confidential.

2. What is needed to release the data to ensure this information will remain confidential?

A formal LEA Policy or written agreement with the employees who are currently determined to “need to know” should be in place. This policy should include a description of how the information is protected from unauthorized use and outline the penalties for misuse or improper disclosure. A template agreement is available in the Child Nutrition Programs Free and Reduced Price Policy Handbook, appendix U or visit <http://www.ade.az.gov/health-safety/cnp/nslp/sais>.

3. Is there a penalty if there is a breach in confidentiality with regards to free and reduced information?

The National School Lunch Act states, “A person described in clause (iii) who publishes, divulges, discloses, or makes known in any manner, or to any extent not authorized by Federal law (including a regulation), any information obtained under this subsection shall be fined not more than \$1,000 or imprisoned not more than 1 year, or both”.

This quote does not limit the penalty to food service directors. Therefore, if an IT Manager gave the data to the district superintendent for uses not authorized, the IT Manager would be liable for the penalty. If the superintendent then published the information to others, then the superintendent would be liable.

4. What if I am on Special Assistance Provision 2 or 3?

If you are on Special Assistance Provision 2 or 3 and in a non-base year you are exempt from this reporting requirement. The MIS and Academic Achievement units at the Arizona Department of education will populate those fields for you. If you are on Special Assistance Provision 2 or 3 and you **are** in a base year you must report the free and reduced data by individual student.